

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JIM DESMOND

Plaintiff,

vs.

PHILLIPS & COHEN ASSOCIATES, L.T.D.

Defendant.

Case No. 09-34-GLL

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FILED
FEB 10 2010
U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
JUDGE: J. L. KENNEDY
NOTED STATES ATTORNEY JUDGE

PLAINTIFF'S MOTION FOR RECONSIDERATION

1. This Honorable Court entered an Order on February 3, 2010, granting in part and denying in part Defendant's Motion for Protective Order.
2. Pursuant to the Order, Plaintiff is not permitted to depose Jose Santana.
3. Plaintiff is respectfully requesting this Court reconsider its Order as it pertains to the deposition of Jose Santana.
4. Jose Santana is employed by Phillips & Cohen as a mail clerk. (Obringer depo pp. 36-37) (Relevant portions of Obringer's deposition transcript are attached hereto as Exhibit "A").
5. Santana allegedly signed for one of Plaintiff's cease and desist letters. The letters were sent certified return receipt requested. Defendant denies it received the letters.
6. The executed green card is attached hereto as Exhibit "B".
7. The signature is difficult to make out. Plaintiff could not read the signature.